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**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff,

Adv. Pro. No. 08-01789 (BRL)

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

SIPA Liquidation

**MOTION TO REDACT PORTIONS OF
SOCIAL SECURITY NUMBERS AND ACTIVE ACCOUNT NUMBERS**

The Unofficial Committee of Certain Claim Holders (“Committee”), through its counsel, respectfully requests that the Court enter the proposed order submitted herewith granting permission for the Committee’s counsel to redact portions of claimant social security numbers and active bank account numbers from any documents filed with this Court. Specifically, the Committee requests permission for counsel to redact all but the last four digits of any claimant social security number and/or active bank account number appearing on any documents to be filed with the Court.

Section 107(c)(1) provides that the Court, “for cause, may protect an individual, with respect to the following types of information to the extent the court finds that disclosure of such information would create undue risk of identity theft or other unlawful injury to the individual or the individual’s property:

- (A) Any means of identification (as defined in section 1028(d) of title 18 [18 USCS § 1028(d)]) contained in a paper filed, or to be filed, in a case under this title. . . .

11 U.S.C. § 107(c)(1).¹

As the public disclosure of social security numbers and active bank account numbers raises significant privacy concerns and potentially exposes claimants to the risk of identify theft, the redaction of such information from publicly filed documents is appropriate. *Accord City of New York v. A-1 Jewelry & Pawn, Inc.*, No. 06-2233, 2008 U.S. Dist. LEXIS 8789, at *14 (E.D.N.Y. Feb. 6, 2008) (granting request to redact social security numbers from documents produced in discovery); *Younger v. City of New York*, No. 03-8985, 2006 U.S. Dist. LEXIS 25879, at *3 (S.D.N.Y. May 1, 2006) (same).

¹ 18 U.S.C. § 1028(d) provides that “means of identification” may include “name, social security number, date of birth, official State or government issued driver’s license or identification number, alien registration number, government passport number, employer or taxpayer identification number.” 18 U.S.C. § 1028(d).

Should the Court allow such redactions, counsel shall maintain at its offices unredacted copies of any such redacted documents, which may be available to other parties upon request so long as the requesting party agrees to be bound by reasonable terms of confidentiality. The Committee would also request that the Trustee maintain the confidentiality of any redacted information with regard to documents he may file with the Court. *See* 11 U.S.C. § 107(c)(3) (providing that “[t]he . . . trustee . . . shall not disclose information specifically protected by the court under this title.”).

For the foregoing reasons, the Committee respectfully requests that the Court enter the proposed order submitted herewith.

Dated: September 25, 2009

s/ Jonathan M. Landers
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